

September 17, 2010

**By Certified Mail, Receipt Number 7009 3410 0002 2932 9207**

Flagstar Bank

attn: Collections

re: Sandra Berrios  
Loan Number: [REDACTED]  
Property Address: [REDACTED]

Dear Sir or Madam:

Legal Services of Northern Virginia represented Sandra Berrios in lawsuit against Flagstar Bank, which was dismissed pursuant to a settlement agreement in August 2009. It is my understanding that as part of that settlement, Flagstar Bank agreed to modify the terms of Ms. Berrios' mortgage. While Ms. Berrios has continued to comply with the terms of the signed modification agreement, Flagstar Bank continues to notify her that she is in default of her mortgage, and in danger of foreclosure if she does not cure the default. As recently as August 17, 2010, Flagstar notified Ms. Berrios that her "failure to make timely payments on the mortgage note has caused a default" and that she must pay Flagstar \$10,579.93 in order bring her account current and cure the default. The notice sent to her in July stated that she must pay \$17,082.66 in order to bring her account current.

I have previously communicated with Robin Kennedy-Colnaghi, the FNMA team lead for Flagstar's loss mitigation department, about this matter, but she has never responded to my inquiry as to why Flagstar continues to notify Ms. Berrios that she is in default. Ms. Kennedy-Colnaghi simply stopped communicating with me, after I made my inquiry. Kristi Cahoon had also made inquiries into this matter before she left our firm.

Ms. Berrios disputes that her account is delinquent for any amount, and, as her attorney, I am submitting a qualified written request, pursuant to the Real Estate Settlement Procedures Act (12 U.S.C. § 2605(e)), for a full accounting of the alleged delinquency claimed in your most recent letter to her. I am also requesting an explanation of how her payments have been applied since she entered into the settlement agreement and her loan was modified in September 2009.

Fairfax Branch Office  
4080 Chain Bridge Road  
Fairfax, Virginia 22030

703.504-9141 VOICE  
703.273-6476 FAX  
[www.lsnv.org](http://www.lsnv.org)

LSNV

EXHIBIT

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Please direct any responses to my attention at the following address:

Legal Services of Northern Virginia  
Fairfax Office  
4080 Chain Bridge Road, 2<sup>nd</sup> Floor  
Fairfax, VA 22030

Should have any questions about this request or need additional information, my telephone number is [REDACTED]

Sincerely,



James L. Scruggs  
Managing Attorney

enclosures